

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

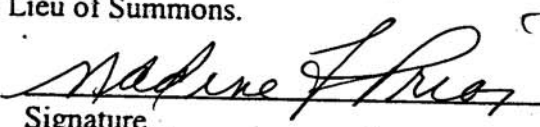
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-20-12

  
Signature

Nadine Prior (Nadine Faye Prior)  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**FILE**U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

2013 JAN 10 PM 3: 29

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Dec. 22, 2012Georgeanne Fulstone-Pucillo

Signature

GEORGEANNE FULSTONE-PUCILLO

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintff

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor )

vs. )

WALKER RIVER IRRIGATION DISTRICT, )

a corporation, et al., )

Defendant )

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
999 18<sup>th</sup> Street, South Terrace - Suite 370  
Denver, Colorado 80202

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1



4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney: William E. Peterson

Address: 50 W. Liberty, Suite 510

Reno, Nevada 89501

Phone Number: (775) 785-5440

Fax Number: (775) 785-5441

E-mail Address: wpeterson@swlaw.com

PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

(Signature)

*Georgeanne Fulstone-Pucillo*

(Printed or typed Name)

Georgeanne Fulstone-Pucillo

(Entity, if any, on whose  
behalf you are appearing)

1461 "C" Street  
Eureka, CA 95501

(Address)

(707) 443-5555

(Telephone number)



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: 12/23/2012

Timothy B. Tiernan Katherine J. Quinlan  
Signature

Timothy B. Tiernan Katherine J. Quinlan  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: Trustee of  
(Title)

Quinlan-Tiernan Family Trust  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JAN 02 2013	
No Com	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
South Virginia Street, Suite 301  
Las Vegas, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

Because the undersigned sold or otherwise conveyed ownership of all of the

WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

we have already  
mailed this in but  
forgot to sign it  
so here is our  
signed copy.



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

- 5 1. The name and address of the party ~~or parties who sold or otherwise conveyed~~  
6 ~~ownership~~:

7 Name(s): Timothy B. Tiernan & Katherine J Quinlan  
8 trustees for The Quinlan /Tiernan Family Trust

9 Street or P.O. Box:  
10 2636 Irene Way

11 Town or City:  
12 Bishop

13 State:  
14 CA

15 Zip Code: 93514

owners of:  
Lot 11 in Block A  
of the Virginia Lakes  
Subdivision No. 3 in NE 1/4  
Sect 7, SE 1/4, SE 1/4 Sec 6 8,  
SW 1/4 SW 1/4 Sec 5 T.2N., R.2E  
m. D. B. & M  
Mono County, CA

- 16 2. The name and address of each person or entity who acquired ownership

17 Name(s):

18 Street or P.O. Box:

19 Town or City:

20 State:

21 Zip Code:

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5 ☐ Deed  
6 ☐ Court Order  
7 ☐ Other Document  
8  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 27<sup>th</sup> day of December 2012

17  
18 Timothy B. Tiernan co-trustee

19 Katherine J. Quinlan co-trustee

20 [signature of counter-defendant]

21 Timothy B. Tiernan co-trustee

22 Katherine J. Quinlan co-trustee

23 [name of counter-defendant]



[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

My property is not riparian to the  
Creek and is included in error

2636 Irene Way  
Bishop, CA  
93514

[address]

(760) 873-8023

[telephone number]

Katie Quinlan  
2636 Irene Way  
Bishop, CA 93514

BARRENSFIELD CA 93300  
NOV 28 2012 PM 4 T



*Linda Lea Sharer, Chief Deputy Clerk*  
*United States District Court for the Dist. of NV*  
*400 South Virginia Street, Suite 301*  
*Reno, NV*  
*89501*

89501+2195





FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL PARTIES OF RECORD	
DEC 28 2012	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
DEPUTY	

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA,

2  
3 Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

4 WALKER RIVER PAIUTE TRIBE,

5  
6 Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

7  
8 v.

9 WALKER RIVER IRRIGATION  
10 DISTRICT,  
11 a corporation, et al.,

12 Defendants.

13  
14  
15 The undersigned counter-defendant in the above action hereby notifies the Court and the  
16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has  
17 no interest in any water right within the categories set forth in Paragraph 3 of the Case  
18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

19 This disclaimer and notice shall be sent to the following two persons:

20  
21 Linda Lea Sharer, Chief Deputy Clerk  
22 United States District Court for the District of Nevada  
23 400 South Virginia Street, Suite 301  
24 Reno, NV 89501

25 And

26 Susan L. Schneider  
27 United States Department of Justice  
28 999, 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

- 5 1. The name and address of the party ~~or parties who sold or otherwise conveyed~~

6 ~~ownership~~:

7 Name(s): Timothy B. Tiernan & Katherine J Quinlan  
8 trustees for The Quinlan/Tiernan Family Trust

9 Street or P.O. Box:

10 2636 Irene Way

11 Town or City:

12 Bishop

13 State:

14 CA

15 Zip Code: 93514

owners of:

Lot 11 in Block A

of the Virginia Lakes

Subdivision No. 3 in NE 1/4

Sec 7, SE 1/4, SE 1/4 Sec 6 8,

SW 1/4 SW 1/4 Sec 5 T.2N., R.25E

m. D. B. 8, M

Mono County, CA

- 16 2. The name and address of each person or entity who acquired ownership

17 Name(s):

18 Street or P.O. Box:

19 Town or City:

20 State:

21 Zip Code:



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3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed
- ☐ Court Order
- ☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

[signature of counter-defendant]

[name of counter-defendant]

[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

My property is not riparian to the  
Creek and is included in error

2636 Irene Way  
Bishop, CA  
93514

[address]

(760) 873-8023

[telephone number]





U.S. Department of Justice

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

Environment and Natural Resources Division

90-6-2-86

2012 DEC 31 PM 2:17

Denver Field Office  
999 18th Street  
South Terrace, Suite 370  
Denver, CO 80202

Telephone (303) 844-1348  
Facsimile (303) 844-1350

December 12, 2012

Re: United States v Walker River Irrigation Dist., et al., In Equity No. C-125; Subfile C-125-B

Dear Defendant:

*I don't own this property!!!!*

You are receiving this package because the U.S. District Court of Nevada has determined that owners of property with dormant riparian rights in California should be joined to this on-going case. Please review the contents of this package carefully.

Recently, the State of California and Mono County asserted that dormant (unexercised) surface riparian rights are real and substantial rights in the State of California. As a result, the Court has determined that holders of these rights should be joined in this proceeding under category 3b of the enclosed Case Management Order.

You may be one of several persons and entities who were previously served in this case and then dismissed because the Court determined that your water uses do not fit within the categories of persons and entities to be served in this case. Although the Order dismissing you from this case noted that you may be joined at a later time, we did not think such a determination would be made this quickly and regret any confusion or inconvenience to you.

If you have any questions, please contact me,<sup>1</sup> Michael W. Neville, Deputy Attorney General for the State of California [(415) 703-5523, [Michael.Neville@doj.ca.gov](mailto:Michael.Neville@doj.ca.gov)] or Stacey Simon, Assistant County Counsel, Mono County, California [(760) 924-1700, [ssimon@mono.ca.gov](mailto:ssimon@mono.ca.gov)].

*Hey!  
I don't own  
this property!  
Enclosed find the  
Escrow stuff!  
Stop bldg*

Sincerely,

*Susan L. Schneider*

Susan L. Schneider, Trial Attorney  
US Department of Justice  
999 18<sup>th</sup> Street  
South Terrace – Suite 370  
Denver, CO 80202  
(303) 844-1348  
[susan.schneider@usdoj.gov](mailto:susan.schneider@usdoj.gov)

<sup>1</sup> After January 3, 2012, please contact Attorney Andrew Guarino at (303) 844-1343 or [gus.guarino@usdoj.gov](mailto:gus.guarino@usdoj.gov).

1 United States in writing of that fact.

2 2. If such person or entity sold or otherwise conveyed ownership of all of the water  
3 rights that the person or entity once owned before they were served or otherwise brought into  
4 this action, in addition to disclaiming any interest in this action, they shall include a notice  
5 providing the following information:

6 ✓ A. The name and address of the person or entity who sold or otherwise  
conveyed ownership;

7 ✓ B. The name and address of each person or entity who acquired ownership;  
8 and

9 ✓ C. A copy of the deed, court order or other document by which the change  
in ownership was accomplished.

10 3. The disclaimer and notice shall be sent to the Court and counsel for the United  
11 States, addressed as follows:

12 Linda Lea Sharer, Chief Deputy Clerk  
13 United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
14 Reno, NV 895501

15 ~~Susan L. Schneider~~  
16 ~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

17 4. The form and substance of the disclaimer and notice shall substantially conform  
18 to the form attached to this Order as Exhibit A.

19 5. Following their receipt from any person or entity disclaiming any interest in any  
20

21 6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws  
22 of the State of Nevada within the Walker River Basin.

23 7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin  
24 who currently use groundwater.

25 8. Category 3.h.: All municipal providers in California within the Walker River Basin  
26 who currently use groundwater.

27 9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who  
28 currently use groundwater.



**SERVING INYO AND MONO COUNTIES  
SINCE 1913**

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

**INYO-MONO TITLE COMPANY**

873 NORTH MAIN STREET  
BISHOP, CA 93514  
PHONE: (760) 873-5821  
FAX: (760) 873-7804

**2012 DEC 31 PM 2:18**

JULY 23, 2012

KELLY RAE  
PO BOX 5333  
RENO, NV 89513

RE: ESCROW NO. 135042  
YOUR REFERENCE: 2035 SWAUGER CREEK ROAD BRIDGEPORT CA 93517

IN CONNECTION WITH THE ABOVE TRANSACTION, **WE ENCLOSE:**

- ♦ ESCROW CLOSING STATEMENT ✓
- ♦ OUR CHECK DUE TO YOU FOR PROCEEDS AND/OR REFUND WAS WIRED PER YOUR INSTRUCTIONS

ANY RECORDED DOCUMENTS TO WHICH YOU ARE ENTITLED WILL BE FORWARDED.

THANK YOU FOR GIVING US THE OPPORTUNITY OF SERVING YOU.

INYO-MONO TITLE COMPANY

BY:

  
CHRIS CORTEZ, ESCROW OFFICER



**Inyo-Mono  
Title Company**

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

2012 DEC 31 PM 2:18

**Seller  
Settlement Statement**  
Folder Number: 135042

Settlement Date: 07/23/12 Disbursement Date: 07/23/12 **Final**

Name and Address of Buyer(s): BRETT EMERY and DAWNE EMERY  
PO BOX 758  
BRIDGEPORT, CA 93517

*New Owners!*

Name, Address of Seller(s): KELLY RAE  
PO BOX 5333  
RENO, NV 89513

Property Location(s): 2035 SWAUGER CREEK ROAD  
BRIDGEPORT, CA 93517

Settlement Agent: INYO-MONO TITLE COMPANY  
873 NORTH MAIN STREET  
BISHOP, CA 93514  
Contact: CHRIS CORTEZ at (760)873-5821

Description	(POC)	Seller Debit	Seller Credit
Contract Sales Price.....			315,111.00
<b>PRORATION(S)/OFFSET(S)</b>			
County Tax Proration.....		174.58	
07/01/12 to 07/23/12 (22 days) @ 7.935667/day			
<b>PAYOFF(S)</b>			
GMAC MORTGAGE, LLC.....		151,714.31	
Principal	\$151,064.32		
Interest	\$551.49		
to 07/27/12			
Statement Fee	\$30.00		
to GMAC MORTGAGE, LLC			
Recording Fee(s)	\$16.00		
to GMAC MORTGAGE, LLC			
Reconveyance Fee	\$45.00		
to GMAC MORTGAGE, LLC			
Wiring Fee	\$7.50		
to GMAC MORTGAGE, LLC			
<b>TITLE CHARGES</b>			
1/2 Sale Escrow Fee.....		420.50	
to INYO-MONO TITLE COMPANY			
Title Insurance		533.00	
CLTA Joint Protection.....			
Coverage	\$315,111.00		
Premium	\$533.00		
to INYO-MONO TITLE COMPANY			
Wire Fee.....		50.00	
to INYO-MONO TITLE COMPANY			
<b>GOVERNMENT RECORDING AND TRANSFER CHARGES</b>			
City/County Tax/Stamps		347.05	
Deed.....			



Doc # 20120044096  
 Page 1 of 1  
 Date: 8/7/2012 02:00P  
 Filed by: GMAC MORTGAGE CORP.  
 Filed & Recorded in Official Records  
 of MONO COUNTY  
 LYNDIA ROBERTS  
 CLERK-RECORDER  
 Fee: \$8.00

Recording Requested By:  
 GMAC MORTGAGE, LLC

When Recorded Return To:  
 Current Trustor:  
 KELLY RAE  
 PO BOX 5333  
 RENO, NV 89513



**FULL RECONVEYANCE**

GMAC MORTGAGE, LLC #:0551577109 "RAE" Lender ID:10025/1692996515 Mono, California PIF: 07/23/2012  
 MERS #: 100037505515771098 SIS #: 1-888-679-6377

Prepared By: Bulk, GMAC MORTGAGE, LLC 3451 HAMMOND AVENUE, PO BOX 780, WATERLOO, IA 50704-0780  
 1-800-766-4622

EXECUTIVE TRUSTEE SERVICES, LLC as present Trustee for the Deed of Trust executed by KELLY RAE as Trustor(s), Dated: 09/10/2003 Recorded: 09/17/2003 in Book/Reel/Liber: NA Page/Folio: NA as Instrument No.: 2003010201 of official Records in the office of the County Recorder of Mono, California having been requested in writing, by the holder of the obligations secured by said Deed of Trust, to reconvey the estate granted to trustee under said Deed of Trust, does hereby reconvey to the person or persons legally entitled thereto, without warranty, all the estate, title and interest acquired by Trustee under said Deed of Trust.

Parcel No. 007030011000

IN WITNESS WHEREOF, EXECUTIVE TRUSTEE SERVICES, LLC as the Trustee has caused its corporate name to be affixed by a duly authorized officer on the date shown in the acknowledgment certificate below:

On 8-3-12  
 By: EXECUTIVE TRUSTEE SERVICES, LLC as Trustee

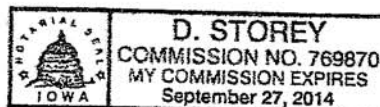
BRANDI PECENKA, AUTHORIZED OFFICER

STATE OF Iowa  
 COUNTY OF Black Hawk

On 8-3-12, before me D. STOREY Notary Public, personally appeared BRANDI PECENKA, AUTHORIZED OFFICER, to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/they voluntary act and deed.

WITNESS my hand and official seal,

D. STOREY  
 Notary Expires: 09/27/2014 #769870



(This area for notarial seal)

<input checked="checked" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
JUN 17 2013	
CLERK U.S. DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

In Equity No. C-125-ECR  
Subfile No. C-125-B

**DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER**

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s): This property was not sold.

8 I do not have any water rights

9 Street or P.O. Box: There is no surface water on my proper

10  
11 Town or City: -

12 State:

13 Zip Code:

14  
15  
16 2. The name and address of each person or entity who acquired ownership

17 Name(s):

18  
19 Street or P.O. Box:

20  
21 Town or City:

22 State:

23 Zip Code:

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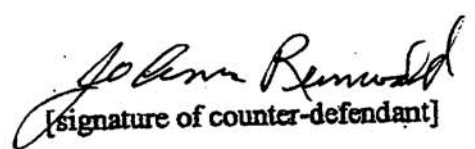
3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed
- ☐ Court Order
- ☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 13 day of June 20 13.

  
[signature of counter-defendant]

[name of counter-defendant]  
JoAnn Reinwald

[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

Owner

John Rumsdell  
199 Charley Day Dr.  
Bridgeport CA. 93517  
PO. Box 564  
[address]

[telephone number]

760-932-0097

Lot #1 Portion Twin Lakes Subdivision  
Parcel # 1033209

Lot #14 North Portion Twin Lakes Subdivision  
Zoned R-1 Parcel # 1033208



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-18-2012

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_ (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/18/2012

Susan L. Robbins  
Signature

Susan L. Robbins  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1/7/13

  
Signature

Clark O. Roberts  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

RECEIVED
SERVED ON
COUNSEL/PARTIES OF RECORD
JAN 10 2013
CLERK US DISTRICT COURT DISTRICT OF NEVADA
BY: _____ DEPUTY

UNITED STATES OF AMERICA,

Plaintff

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor

vs.

WALKER RIVER IRRIGATION DISTRICT,

a corporation, et al.,

Defendant

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
999 18<sup>th</sup> Street, South Terrace - Suite 370  
Denver, Colorado 80202

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1

EXHIBIT 238

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

Phone Number:

Fax Number:

E-mail Address:

**PLEASE NOTE:** Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

  
(Signature)

Clark O. Roberts  
(Printed or typed Name)

(Entity, if any, on whose  
behalf you are appearing)

2772 Cunningham Ln.  
Coleville, CA 96107  
(Address)

(760) 616-4063  
(Telephone number)

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

2013 JAN -2 PM 3:44

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

v.

WALKER RIVER IRRIGATION  
DISTRICT,  
a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the



WE NEVER OWNED ANY WATER RIGHTS  
THAT I AM AWARE OF -

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

8  
9 Street or P.O. Box:

10  
11 Town or City:

12  
13 State:

14  
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership

17  
18 Name(s):

19  
20  
21 Street or P.O. Box:

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

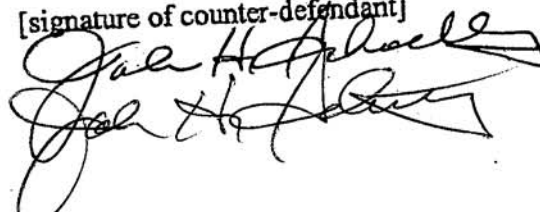
- 5 ☐ Deed  
6 ☐ Court Order  
7 ☐ Other Document.  
8

9 by which the change in ownership was accomplished.

10 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
11 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
12 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
13 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
14 this litigation.  
15

16 Executed this 29<sup>th</sup> day of December 20 12  
17  
18  
19  
20

21 [signature of counter-defendant]

22   
23  
24

25 [name of counter-defendant]

26 John Schoettler  
27 Elaine Hill  
28

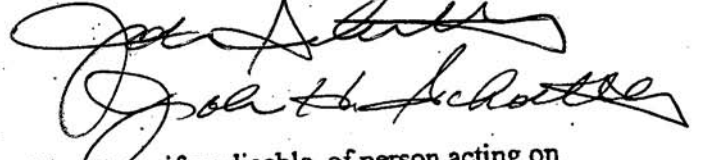
26 Kelly Weaver  
27 Jessica Weaver  
28 James Schoettler  
Katherine Schoettler

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

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John Schoettler

[name, if applicable, of person acting on  
behalf of counter-defendant]



[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

1850 Smoke Tree Lane  
Palm Springs, CA 92264

[telephone number]

760 323 1207



FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JAN 28 2013	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY <i>Jk</i>

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
 )  
 ) Plaintiff, ) In Equity No. C-125-ECR  
 ) Subfile No. C-125-B  
 WALKER RIVER PAIUTE TRIBE, )  
 )  
 ) Plaintiff-Intervenor, ) NOTICE OF CHANGE OF  
 ) OWNERSHIP OF WATER RIGHT  
 )  
 ) v. )  
 )  
 WALKER RIVER IRRIGATION DISTRICT, )  
 a corporation, et al., )  
 )  
 ) Defendants. )

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Silvester 2011 Revocable Trust  
Name(s)

Street or P.O. Box

8224 Catalpa Drive

Citrus Heights CA 95810  
 Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Robert J Brandt  
 Name(s)

218 Claxton Road  
 Street or P.O. Box

Star Valley AZ 85541  
 Town or City State ZipCode

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
 United States District Court for the District of Nevada  
 400 South Virginia Street, Suite 301  
 Reno, NV 89501

And

~~Susan L. Schneider~~  
~~United States Department of Justice~~  
~~P.O. Box 756~~  
~~Littleton, CO 80160~~

Susan L. Schneider  
 United States Department of Justice  
 999 18th Street  
 South Terrace - Suite 370  
 Denver, CO 80202

1 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this  
2 litigation.

3  
4 Executed this \_\_\_\_\_ day of January 20 13.

5  
6  
7 [signature of counter-defendant]

8  
9 Silvester 2011 Revocable Trust by  
10 William R. Brandt, Successor Trustee

11 [name of counter-defendant]

12 X William R. Brandt  
13 [signature, if applicable, of person acting on  
14 behalf of counter-defendant]

15  
16 [name, if applicable, of person acting on  
17 behalf of counter-defendant]

18  
19 4582 Blackwell Rd  
20 Oceanside, CA 92506

21 [address].

22 760-414-9587  
23 [telephone number]



RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

DONALD E. BRODEUR, ESQ.  
Murphy Austin Adams Schoenfeld LLP  
304 "S" Street  
Sacramento, CA 95811-6906

MAIL TAX STATEMENTS TO:

Robert J. Brandt  
218 Claxton Road  
Star Valley, AZ 85541

Doc # 2012001755  
Page 1 of 4  
Date: 4/2/2012 03:33P  
Filed by: GENERAL PUBLIC  
Filed & Recorded in Official Records  
of MONO COUNTY  
LYNDA ROBERTS  
CLERK-RECORDER  
Fee: \$27.08

Documentary Transfer Tax: NONE  
No Consideration; No Sale  
Also - See Note 1 Below  
The Undersigned Grantor So States

QUITCLAIM DEED

**WILLIAM R. BRANDT, Successor Trustee of the SILVESTER 2011 REVOCABLE TRUST, established March 14, 2011, hereby quitclaims to ROBERT J. BRANDT, all of the Trust's right, title and interest as to an undivided one-half (1/2) interest in the real property situated in the County of Mono, State of California, more particularly described as follows:**

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY THIS REFERENCE.

APN: 002-020-007-000

Commonly known as: 1570 Cunningham Lane, Coleville, CA 96107

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

SILVESTER 2011 REVOCABLE  
TRUST, established March 14, 2011

DATED: 02, 17, 2012.

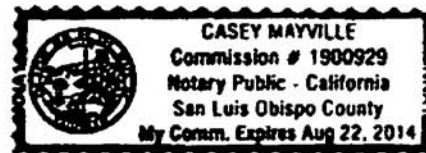
By: William R. Brandt  
William R. Brandt, Successor Trustee

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN LUIS OBISPO)

On Feb. 17, 2012, before me, Casey Mayville, a notary public, personally appeared WILLIAM R. BRANDT, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.



Signature Casey Mayville (Seal)

Note 1: This conveyance is from a trust (the Silvester 2011 Revocable Trust) to the beneficiary of the trust on the death of the Trustor and not pursuant to a sale and is exempt from Documentary Transfer Tax as a bona fide testamentary gift pursuant to Revenue and Taxation Code § 11911.



**Exhibit A to the  
Quitclaim Deed**

**Legal Description**

That certain real property situated in the County of Mono, State of California,  
described as follows:

All that portion lying within Sections 5 and 6, Township 8 North Range 23  
East, M.D.B. & M., according to the official plat thereof, more particularly  
described as follows:

Commencing at a point 300 feet due South from the corner common to  
Sections 31 & 32, Township 9 North Range 23 East and Sections 5 & 6,  
Township 8 North Range 23 East, M.D.B.&M.; thence running due West  
100 feet more or less to a point on the West side of the 69 Ranch Road,  
which is the True Point of Beginning; thence Southerly, along the West  
side line of said road 1,000 feet more or less to a point on the West side of  
said road, at said point there is an East-West fence and cattle guard;  
thence running due West 300 feet more or less to a point on the West  
boundary fence of said 69 Ranch; thence running Northerly along said  
West Boundary line fence 1,000 feet more or less to a point in said fence  
that is due West of said true point of beginning; thence due East 200 feet  
more or less to the True Point of Beginning.

Assessor's Parcel Number: 002-020-007-000

Commonly known as: 1570 Cunningham Lane, Coleville, CA 96107

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/11/13

Cecily J. Tiernan  
Signature

Cecily J. Tiernan  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
FEB 11 2012	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: <u>NO COPY</u>	DEPUTY

1  
2  
3  
4 UNITED STATES OF AMERICA,

5 )  
6 ) Plaintiff,

In Equity No. C-125-ECR

Subfile No. C-125-B

7 WALKER RIVER PAIUTE TRIBE,

8 )  
9 ) Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

10 v.

11 WALKER RIVER IRRIGATION  
12 DISTRICT,  
a corporation, et al.,

13 )  
14 ) Defendants.

15 The undersigned counter-defendant in the above action hereby notifies the Court and the  
16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has  
17 no interest in any water right within the categories set forth in Paragraph 3 of the Case  
18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

19 This disclaimer and notice shall be sent to the following two persons:

20  
21 Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
22 400 South Virginia Street, Suite 301  
Reno, NV 89501

23 And

24  
25 Susan L. Schneider  
United States Department of Justice  
26 P.O. Box 756  
Littleton, CO 80160

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the  
28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party ~~or parties who sold or otherwise conveyed~~  
6 ownership:

7 Name(s): Carolyn J. Tiernan

8 Street or P.O. Box: 1417 Bear Creek Dr

9 Town or City: Bishop

10 State: CA

11 Zip Code: 93514

Owner of:  
Lot 11 in Block A of  
the Virginia Lakes  
subdivision

No 3 in NE 1/4 Sect 7,  
SE 1/4, SE 1/4 Sect. 6, 8  
SW 1/4 SW 1/4 Sect 5  
T. 2N., R. 2SE, M.D. B.B.M  
Mono, County CA

12 2. The name and address of each person or entity who acquired ownership

13 Name(s):

14 Street or P.O. Box:

15 Town or City:

16 State:

17 Zip Code:

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5 ☐ Deed  
6 ☐ Court Order  
7 ☐ Other Document.  
8  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 6<sup>th</sup> day of Feb 2013.

17  
18   
19

20 [signature of counter-defendant]

21  
22 Carolyn J. Tiernan  
23

24 [name of counter-defendant]  
25  
26  
27  
28

[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

My property is not riparian to the creek and  
is included in error

[address]

1417 Bear Creek  
Bishop, Ca

[telephone number]

760 873-4563



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

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2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-3-2013

Susan G. Torley  
Signature

Susan G. Torley  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

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Date: 12-27-12

Dennis H. Vansyoc  
Signature

Dennis H Vansyoc  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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TO: Susan L. Schneider, attorney for the United States of America

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1/11/12

John D. Wehausen

Signature

John D. Wehausen

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

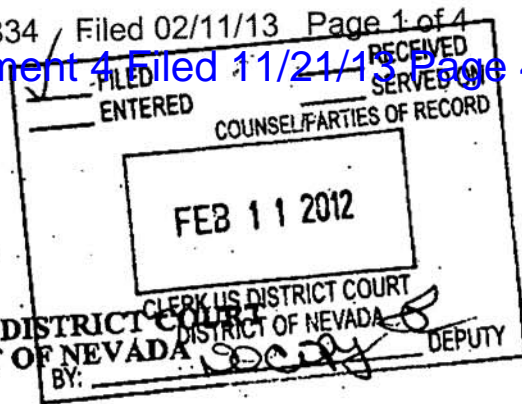
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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.





1  
2  
3  
4 UNITED STATES OF AMERICA,

5 Plaintiff,

In Equity No. C-125-ECR  
Subfile No. C-125-B

6  
7 WALKER RIVER PAIUTE TRIBE,

8 Plaintiff-Intervenor,

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

9 v.

10 WALKER RIVER IRRIGATION  
11 DISTRICT,  
12 a corporation, et al.,

13 Defendants.

14  
15 The undersigned counter-defendant in the above action hereby notifies the Court and the  
16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has  
17 no interest in any water right within the categories set forth in Paragraph 3 of the Case  
18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

19 This disclaimer and notice shall be sent to the following two persons:

20  
21 Linda Lea Sharer, Chief Deputy Clerk  
22 United States District Court for the District of Nevada  
23 400 South Virginia Street, Suite 301  
24 Reno, NV 89501

25 And

26 Susan L. Schneider  
27 United States Department of Justice  
28 P.O. Box 756  
Littleton, CO 80160

Susan L. Schneider  
United States Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

- 5 1. The name and address of the party ~~or parties who sold or otherwise conveyed~~

6 ~~ownership:~~

7 Name(s): John D. Wehausen

8  
9 Street or P.O. Box: 1417 Bear Creek Dr

10  
11 Town or City: Bishop

12  
13 State: CA

14  
15 Zip Code: 93514

Owner of:  
Lot 11 in Block A of the  
Virginia Lakes subdivision  
No 3 in NE 1/4 Sect 7, SE 1/4,  
SE 1/4 Sect 6 8, SW 1/4 SW 1/4,  
Sect. 5 T. 2N., R. 25E, M.D.B.B.M  
Mono County, CA

- 16  
17 2. The name and address of each person or entity who acquired ownership

18  
19 Name(s):

20  
21 Street or P.O. Box:

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:

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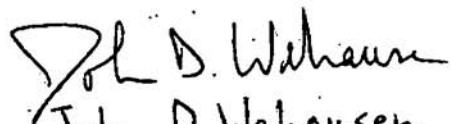
3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 6<sup>th</sup> day of February 2013.

  
John D. Wehausen  
[signature of counter-defendant]

[name of counter-defendant]



[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

My property is not riparian to the creek and is  
included in error.

[address]

1417 Bear Creek Dr.  
Bishop CA 93514

[telephone number]

760 973-4563



**WALKER RIVER IRRIGATION DISTRICT  
YERINGTON, NEVADA**

Division #: 2

Water Right Owner:

Index No. Fm 89A  
Lyon County No. 1228103  
Claim No.  
User # 1758  
Ditch Hall

Card #: 7165

Name: Paul Kent &amp; Shelley Carlin

Address:

8225 Boyd St.  
Omaha NE 681344221

O. &amp; M. Local No. 3

Court Decree:

PRIORITY	C.F.S.	ACRES	FACTOR	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES
					PER ACRE	TOTAL					
NEWL		1.410	4.2768	65	2.0592	2.900					1.410
TOTAL		1.410				2.900	2.90	.00	2.90		1.410
											Water Rt. Acres 1.410
											Non Wir Rt. Acres .000
											Acres Feet Storage 2.900

LEGAL DESCRIPTION:

Lots 1 & 5, Cardinelli Sub.  
Fr. NE 1/4 of SE 1/4, Fr. SE 1/4 of NE 1/4, Sec. 11;  
T 12 N, R 25 E.

COMMENTS:

Transferred from card #27752 - Kiernan & Guard  
03/14/12 - Changed Address

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#33776	08/31/77	Burton & Reta Taylor to Ken & Nancy Romans.
#33778	08/31/77	Burton & Reta Taylor to Ken & Nancy Romans.
#48038	08/30/79	Ken & Nancy Romans to Mary E. Smith.
#50728	12/21/79	Mary Smith to Robert & Judy Coclich.
#90499	01/03/85	Robert & Judy Coclich to T. Molnar & B. Munson.
#96106	11/04/85	T. Molnar & B. Munson to Terry & Donnaleta Anderson.
#108262	03/19/87	T. & D. Anderson to David E. & Catherine Wise.
#206073	06/04/97	Trustees Deed upon sale to James P. & Susan K. Kiernan, Co-Trustees of the Kiernan Family Trust to Guard Ltd., a Nevada Limited Partnership, an undivided 1/2 interest.
#208411	10/01/97	James P. & Susan K. Kiernan, Co-Trustees of the Kiernan Family Trust and Guard Ltd. a Nevada Limited Partnership to Paul Kent Carlin & Shelley Carlin, husband & wife as joint tenants.
#210691	10/01/97	



**WALKER RIVER IRRIGATION DISTRICT  
YERINGTON, NEVADA**

Division #: 1

Water Right Owner:

23730

Card #: Carl William &amp; Phyllis Ann Hiskett

Name: Address:

Address: 131 N. Hwy 95A

Yerington NV 89447

Index No. 48-D

Lyon County No. 1423114

Claim No. 953

User # West Hyland

Ditch

O. &amp; M. Local No. 2

Court Decree:

PRIORITY	C.F.S.	ACRES	FACTOR	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES	8.250
NEWL		8.254	3.2076	65	1.5444	12.740				Water Rt. Acres	8.250
TOTAL		8.254				12.740	8.74	4.00		Non Wtr Rt. Acres	.000
										Acre Feet Storage	12.740

LEGAL DESCRIPTION:

Fr. SE 1/4 of SE 1/4, Sec. 16;  
T 14 N, R 25 E.

COMMENTS:

Map No. 66

12/18/02 - Transferred from card #19800 - W. Giles

05/17/12 - Address Changed

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#50-	06/01/67	J.P. & N.M. Peebles to Roger B. & Mildred Lee.
#31849	03/07/77	Roger B. & Mildred Lee to William C. & Margaret B. Giles.
#150951	04/28/92	Affidavit, Death of Joint Tenant - Margaret B. Giles, deceased.
#188265	12/15/95	William C. Giles to the 1995 William Giles Family Trust, William C. Giles & Orsola Marie Pappa, Trustees
#188493	12/21/95	Re-record Doc. #188265 to correct legal description
#266348	09/24/01	William C. Giles Family Trust, William C. Giles & Orsola Marie Pappa, Trustees to William C. Giles, an unmarried man
#284766	10/28/02	William C. Giles, an unmarried man to Carl William & Phyllis Ann Hiskett, husband and wife as Joint Tenants with Rights of Survivorship

EXHIBIT 266

WALKER RIVER IRRIGATION DISTRICT  
YERINGTON, NEVADA

Division #: 2

Water Right Owner:

O. & M. Local No. 3

Index No. Fm 54

Lyon County No. 1227111

Claim No.

User # 1090

Ditch Greenwood

27500

Dale Kennedy & Cleo Kennedy Family Trust

Dale S. & Cleo N. Kennedy, Trustees

Address:

40 Stags Leap Circle

Sparks NV 894419292

Court Decree:

PRIORITY	C.F.S.	ACRES	FACTOR	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES	8,000
NEWL		8,000	4.2768	65	2.0592	16.470				Water Rt. Acres	8,000
TOTAL		8,000				16.470	.00	16.47		Non Wtr Rt. Acres	.000
										Acre Feet Storage	16.470

**PROVISIONAL**

COMMENTS:

06/13/12 - Address Changed

LEGAL DESCRIPTION:

Frac. NE 1/4 of NW 1/4, Sec. 11;  
T 12 N, R 25 E.

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#05189	01/06/71	Kennedy, McMahan, D.C. & R.J., J.W. & D.A., Lynch & Sullans to Dale S. & Cleo N. Kennedy, 1970-71 Roll.
#247442	05/04/00	Dale S. & Cleo N. Kennedy to Dale S. & Cleo N. Kennedy, Trustees of the Dale Kennedy & Cleo Kennedy Family Trust

EXHIBIT 268

**WALKER RIVER IRRIGATION DISTRICT  
YERINGTON, NEVADA**

Division #: 4

Water Right Owner:

Card #: 49440

Name: Albert Carlos Skinner, LLC

Address:

Address: 2049 N. Chouteau St.

Orange CA 92865-380

Index No. 275A &amp; A2

Lyon County No. 1044126

Claim No. 123

User # 1893

Ditch Plymouth

Court Decree: C-125, P. 38; Plymouth L &amp; L

PRIORITY	C.F.S.	ACRES	FACTOR	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES	
					PER ACRE	TOTAL						
1862	.002	.160	3.2076	0		.000				123		76.020
1863	.137	11.410	3.2076	0		.000				123	Water Rt. Acres	76.020
1864	.166	13.870	3.2076	0		.000				123	Non Wtr Rt. Acres	.000
1868	.025	2.080	3.2076	0		.000				123		
1878	.046	3.820	3.2076	17	0.4039	1.543				123	Acres Feet Storage	49.870
1878	.167	13.920	3.2076	17	0.4039	5.622				123		
1885	.060	4.970	3.2076	29	0.689	3.424				123		
1892	.018	1.460	3.2076	31	0.7366	1.075				123		
1897	.110	9.170	3.2076	32	0.7603	6.972				123		
NEWL		15.167	4.2768	65	2.0592	31.232		49.87	.00			
TOTAL	.730	76.027				49.869	49.87					

## LEGAL DESCRIPTION:

Fr. W 1/2 of SE 1/4, Fr. SW 1/4 of NE 1/4, Sec. 9;  
T. 11 N., R. 24 E.

## COMMENTS:

Parcel 1 of PM129037  
B.L. Adj #200449  
05/23/01 - Transferred from card #17185 - Francis  
05/17/12 - Address Changed

## DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#131161	03/07/90	Quitclaim of Decree Water from Plymouth Land & Livestock to N.C. Brown, Inc. Storage Water Transfer to Plymouth Land & Stock. N.D. Brown, Inc. to Smith Valley Cattle Feeders. 4/18/91 - Put parcel #10-501-05 on separate card #5710.
#152692	06/18/92	Map of Division of Large Parcels, being a division of Parcel #2 M.D.L.P. #130945 by N. D. Brown, Inc.
#160271	04/08/93	Norman D. Brown, Inc., a Nevada Corporation to Arthur Scott & Terri L. Dockter, H&W as J.T. (APN's 10-441-16, 17, 18, & 19).
#165045	09/30/93	Arthur Scott & Terri L. Dockter to Norman D. Brown, Inc., a Nevada Corporation.
#200449	12/04/96	Boundary Line Adjustment for N.D. Brown, Inc. 12/4/96
#200450	12/04/96	Norman D. Brown, Inc., a Nevada Corporation to Roy D. Francis, Jr. and Elisabeth L. Francis, H&W as J.T.
#254939	11/29/00	Roy D. Francis, Jr. & Elisabeth L. Francis, husband and wife as Joint Tenants to Albert Carlos Skinner, LLC, a California Limited Liability Company